



America's Finest City

THE CITY OF SAN DIEGO



Assessment Engineer's Report

LA JOLLA VILLAGE DRIVE MAINTENANCE ASSESSMENT DISTRICT

Annual Update for Fiscal Year 2009

under the provisions of the

**San Diego Maintenance Assessment District Ordinance
of the San Diego Municipal Code**

and

**Landscaping & Lighting Act of 1972
of the California Streets & Highways Code**

Prepared For

City of San Diego, California

Prepared By

Boyle Engineering Corporation

7807 Convoy Court, Suite 200
San Diego, CA 92111
(858) 268-8080

June 2008

CITY OF SAN DIEGO

Mayor

Jerry Sanders

City Council Members

Scott Peters
District 1 (Council President)

Kevin Faulconer
District 2

Toni Atkins
District 3

Anthony Young
District 4

Brian Maienschein
District 5

Donna Frye
District 6

Jim Madaffer
District 7 (Council President Pro Tem)

Ben Hueso
District 8

City Attorney

Michael Aguirre

Chief Operating Officer

Jay Goldstone

City Clerk

Elizabeth Maland

Independent Budget Analyst

Andrea Tevlin

City Engineer

Afshin Oskoui

Assessment Engineer

Boyle Engineering Corporation

Table of Contents

Assessment Engineer's Report

La Jolla Village Drive Maintenance Assessment District

Preamble	1
Executive Summary	2
Background	3
District Proceedings for Fiscal Year 2009	3
Bond Declaration	4
District Boundary	4
Project Description	5
Separation of General and Special Benefits	5
Cost Estimate	6
Estimated Costs	6
Annual Cost-Indexing	6
Method of Apportionment	7
Estimated Benefit of the Improvements	7
Apportionment Methodology	7
Land Use Factor	8
Benefit Factor	9
Equivalent Benefit Units (EBUs)	10
Summary Results	11

EXHIBITS

Exhibit A: Boundary Map

Exhibit B: Estimated Annual Expenses, Revenues, and Reserves

Exhibit C: Assessment Roll

Assessment Engineer's Report

La Jolla Village Drive

Maintenance Assessment District

Preamble

Pursuant to the provisions of the "San Diego Maintenance Assessment District Ordinance" (being Division 2, Article 5, Chapter VI beginning at Section 65.0201 of the San Diego Municipal Code), provisions of the "Landscaping and Lighting Act of 1972" (being Part 2 of Division 15 of the California Streets and Highways Code), applicable provisions of "Proposition 218" (being Article XIID of the California Constitution), and provisions of the "Proposition 218 Omnibus Implementation Act" (being California Senate Bill 919) (the aforementioned provisions are hereinafter referred to collectively as "Assessment Law"), in connection with the proceedings for the LA JOLLA VILLAGE DRIVE MAINTENANCE ASSESSMENT DISTRICT (hereinafter referred to as "District"), BOYLE ENGINEERING CORPORATION, as Assessment Engineer to the City of San Diego for these proceedings, submits herewith this report for the District as required by California Streets and Highways Code Section 22565.

FINAL APPROVAL, BY RESOLUTION NO. _____ ,
ADOPTED BY THE CITY COUNCIL OF THE CITY OF SAN
DIEGO, COUNTY OF SAN DIEGO, CALIFORNIA, ON THE
_____ DAY OF _____, 2008.

Elizabeth Maland, CITY CLERK
CITY OF SAN DIEGO
STATE OF CALIFORNIA

Executive Summary

Project: La Jolla Village Drive
Maintenance Assessment District

Apportionment Method: Equivalent Benefit Unit (EBU)

	FY 2008	FY 2009 ⁽¹⁾	Maximum ⁽²⁾ Authorized
Total Parcels Assessed:	1,285	1,609	--
Total Estimated Assessment:	\$32,440	\$33,199	--
Total Number of EBUs:	4,111.65	4,111.95	--
Assessment per EBU:	\$7.89	\$8.07	\$8.07 ⁽³⁾

⁽¹⁾ FY 2009 is the City's Fiscal Year 2009, which begins July 1, 2008 and ends June 30, 2009. Total Parcels Assessed, Total Estimated Assessment, and Total Number of EBUs may vary from prior fiscal year values due to parcel changes and/or land use re-classifications.

⁽²⁾ Maximum authorized annual amounts subject to cost-indexing provisions as set forth in this Assessment Engineer's Report.

⁽³⁾ Prior year's maximum authorized annual assessment increased by cost-indexing factor of 2.25%.

Proposition 218 Compliance: The District, originally formed in January 1988, was re-engineered in Fiscal Year 1998 for compliance with Proposition 218. By a ballot proceeding, majority property owners (52.78% of the weighted vote) approved Fiscal Year 1998 assessments, maximum authorized assessments for subsequent years, and provisions for annual cost-indexing.

Annual Cost-Indexing: The maximum authorized assessment rate has been increased based on approved annual cost-indexing provisions.

Bonds: No bonds will be issued in connection with this District.

Background

The La Jolla Village Drive Maintenance Assessment District (District) was originally established in January 1988 under the provisions of the San Diego Maintenance Assessment District Ordinance. The general purpose of the District was and still is to provide for the maintenance of landscaped medians located within the District boundary. The maintenance contracts issued for this District also cover maintenance activities performed at the Campus Point Landscape Maintenance District. However, funds for these activities are provided by that district.

The District was re-engineered in Fiscal Year 1998 for compliance with Proposition 218. By a mail ballot proceeding, property owners approved the re-engineering with 52.78% of weighted votes supporting the proposed assessments. Over 39% of property owners responded to the mail ballot.

The Assessment Engineer's Report, preliminarily accepted by City of San Diego (City) Resolution Number R-288800 on June 8, 1997, proposed Fiscal Year 1998 assessments, maximum authorized assessments for subsequent years, and provisions for annual cost-indexing of the maximum authorized assessments. The Assessment Engineer's Report was approved and assessments confirmed by City Resolution Number R-289039 on August 5, 1997.

District Proceedings for Fiscal Year 2009

This District is authorized and administered under the provisions of the "San Diego Maintenance Assessment District Ordinance" (being Division 2, Article 5, Chapter VI beginning at Section 65.0201 of the San Diego Municipal Code), provisions of the "Landscaping and Lighting Act of 1972" (being Part 2 of Division 15 of the California Streets and Highways Code), applicable provisions of "Proposition 218" (being Article XIII D of the California Constitution), and provisions of the "Proposition 218 Omnibus Implementation Act" (being California Senate Bill 919) (the aforementioned provisions are hereinafter referred to collectively as "Assessment Law"). This report has been prepared in compliance with Assessment Law.

The purpose of the proposed proceedings and this Assessment

Engineer's Report is to update the District budget and assessments for Fiscal Year 2009. The Fiscal Year 2009 assessments proposed within this Assessment Engineer's Report are equal to or less than the maximum authorized assessment. Therefore, the vote requirements of Section 4 of Article XIID do not apply to these proceedings.

A public hearing will be scheduled where public testimony will be heard by the Council, and the Council may, at its discretion, adopt a resolution ordering the levying of the proposed assessments.

Bond Declaration

No bonds will be issued in connection with this District.

District Boundary

The Boundary Map and Assessment Diagram for the La Jolla Village Drive Maintenance Assessment District are on file in the Maintenance Assessment Districts Section of the Park and Recreation Department of the City of San Diego and by reference are made a part of this report. The Boundary Map and Assessment Diagram for the District are available for public inspection during normal business hours. The boundary of the District is shown on Exhibit A. The District boundary was extended to include the Costa Verde Specific Plan area in Fiscal Year 1998.

The Costa Verde area is bounded by La Jolla Village Drive to the north, Nobel Drive to the south, Genesee Avenue to the east, and Regents Road to the west. The Costa Verde area was originally excluded from the District based on an obligation to provide maintenance for portions of Regents Road and Genesee Avenue. The cost of such maintenance constituted a sufficient in-lieu assessment and was the reason Costa Verde was originally excluded from the District. However, the Costa Verde project encountered financial difficulties and was subsequently assumed by the Resolution Trust Corporation (RTC). Under RTC control, Costa Verde ceased to maintain Regents Road and Genesee Avenue, ultimately leading to their inclusion in the District in Fiscal Year 1998.

The University of California, San Diego (UCSD) student housing project was considered for inclusion. The project fronts La Jolla Village Drive, but is small compared to the length of roadway

maintained and has no direct legal access. The terrain of the UCSD site prevents physical access to La Jolla Village Drive and severely limits any viewshed benefit. The benefit to this site was considered insignificant and therefore it was not included in the District.

Project Description

The project to be funded by the assessment to be levied by the District is the maintenance of landscaped and hardscaped medians. The maintenance includes weekly litter control and quarterly sweeping of hardscape. The improvements are located within La Jolla Village Drive and Nobel Drive as shown in Exhibit A.

The engineering drawings for these improvements are on file at Maps and Records in the Development Services Department and are incorporated herein. The drawing numbers are as follows: D-22719, D-22400, D-23464, D-19973, D-22696, D-21955, D-23652. Improvements along Regents Road (previously maintained exclusively by the Costa Verde project as part of an in-lieu assessment agreement) are intended to become a part of this District upon completion of the requisite establishment period and acceptance by City staff. These improvements are also shown in Exhibit A.

The contract issued for this District also covers maintenance activities for the Campus Point Landscape Maintenance Districts. However, funds for these activities are provided by that District. The improvements and services provided by the District will be maintained in accordance with specifications and contracts on file with the Park and Recreation Department. These documents are available for public inspection during normal business hours.

Separation of General and Special Benefits

Consistent with City policy for the public at large, the City will provide the District with annual contributions from the Gas Tax Fund for median maintenance (31.89¢ per square foot of landscaped median and 13.04¢ per square foot of hardscaped median). These cost allocations, reviewed and adjusted annually by the City, are considered to be “general benefits” administered by the District. All other maintenance, operations, and administration costs associated with the District, which exceed the City’s contribution to the public at large, are accordingly considered to be “special benefits” funded by

the District.

Cost Estimate

Estimated Costs

Estimated Fiscal Year 2009 annual expenses, revenues, reserves, and assessments (provided by the City) are included as Exhibit B hereto.

Annual Cost-Indexing

With the passage of Proposition 218, any proposed increase in assessments must be placed for approval before the property owners by a mail ballot and a public hearing process, similar to these proceedings. A majority of ballots received must be affirmative for the City Council to confirm and levy the increased assessments. For small assessment districts or districts with relatively low dollar assessments, the cost of an engineer's report, balloting, and the public hearing process can potentially exceed the total cost of the increase. These incidental costs of the proceedings can be added to the assessments, resulting in even higher assessments.

Indexing assessments annually to the San Diego Consumer Price Index for Urban Consumers (SDCPI-U), as approved by the District property owners in Fiscal Year 1998, allows for minor increases for normal maintenance and operating cost escalation without incurring the costs of the Proposition 218 ballot proceedings. Any significant change in the assessment initiated by an increase in service provided or other significant changes to the District would still require the Proposition 218 proceedings and property owner approval.

The maximum authorized assessment established in the Fiscal Year 1998 proceedings are authorized to be indexed (increased or decreased) annually by the factor published in the SDCPI-U. The maximum authorized assessment rates contained within this Assessment Engineer's Report have been indexed in accordance with these cost-indexing provisions.

Method of Apportionment

Estimated Benefit of the Improvements

The improvements provided by this District are associated with the maintenance of street rights-of-way and street medians.

The major and arterial streets within the District are the backbone of the street network within the community. They serve as the primary access routes in and out of the community, cross-community trips and thus serve all parcels within the community. All parcels benefit from the enhancement of these streets and the enhanced community image provided by the improvements being maintained by this District.

The Transportation Element of the City's General Plan and the General Policy Recommendation found in La Jolla Community Plan and Local Coastal Program Land Use Plan establish several goals for the community's streets. The improvements being maintained by this District are consistent with the Plans' goals for safety and pleasing aesthetics. The maintenance for these enhanced assets, since installation, has been funded through the District. The General Plan also supports the establishment of community landscape improvement and maintenance districts, such as this District, to accomplish these goals.

Apportionment Methodology

The total cost for maintenance of the improvements will be assessed to the various parcels in the District in proportion to the estimated Equivalent Benefit Units (EBUs) assigned to a parcel in relationship to the total EBUs of all the parcels in the District.

EBUs for each parcel have been determined as a function of two factors, a Land Use Factor, and a Benefit Factor, related as shown in the following equation:

$\text{EBUs} = (\text{Acres or Units}) \times \text{Land Use Factor} \times \text{Benefit Factor}$
--

Each of these factors is discussed and developed below.

Land Use Factor

Since the improvements to be maintained or provided by the District are primarily associated with the Transportation Element of the General and Community Plans, trip generation rates for various land use categories (as previously established by the City's Transportation Planning Section) have been used as the primary basis for the development of Land Use Factors. While these trip generation rates strictly address only vehicular trips, they are also considered to approximately reflect relative trip generation for other modes of transportation (e.g., pedestrian trips, bicycle trips, etc.), and are considered the best available information for these other transportation modes.

The special benefits of landscape and hardscape improvements maintained or provided by the District are linked to trip generation primarily by the public safety and aesthetic enhancement enjoyed by travelers through the community. The special benefits of open spaces maintained or provided by the District are linked to trip generation primarily by their contribution of aesthetics and view corridors which break the monotony of travel. Thus, trip generation rates provide the required nexus and basis for assigning ratios of maximum potential benefit to the various land use/zoning classifications as defined by the City's Municipal Code. Land use/zoning classifications have been grouped with averaged trip generation rates assigned to establish the Land Use Factors as shown in Table 1.

TABLE 1: Land Use Factors

Land Use/Zoning	Code	Land Use Factor
Residential – Single Family (detached)	SFD	1.0 per dwelling unit
Residential – Condominium	CND	0.7 per dwelling unit
Residential – Multi-Family & Apartment	MFR	0.7 per dwelling unit
Residential – Convalescent & Retirement Home	CNV	0.3 per dwelling unit
Commercial – Office & Retail	COM	45.0 per acre
Hotel	HTL	15.0 per acre
Park – Developed	PKD	5.0 per acre
Recreational Facility	REC	3.0 per acre

Benefit Factor

The Land Use Factor described above reflects the relative intensity of use (or potential use) of the various parcels of land to be assessed. It does not address the relationship of this use to the specific improvements to be provided or maintained by the District. This relationship is reflected in the Benefit Factor utilized in the assessment methodology.

In determining the Benefit Factor for each land use category, the subcomponents of the benefits of District improvements considered may include some or all of the following: public safety, view corridors and aesthetics, enhancement of community identity, drainage corridors, and recreational potential. As Benefit Factors and their subcomponents are intended to reflect the particular relationships between specific land uses within a district and the specific improvements maintained or provided by the district, Benefit Factors will generally vary from one district to another, based on the specific details of the applicable land uses and improvements provided.

The applicable benefit subcomponents and resultant composite Benefit Factors determined for the various land use/zoning categories within this District are as shown in Table 2.

TABLE 2: Benefit Factors by Land Use

Land Use/Zoning	Public Safety (max. 0.2)	Aesthetics (max. 0.8)	Composite Benefit Factor (max. 1.0)
Residential – All	0.2	0.8	1.0
Commercial – Office & Retail	0.2	0.4	0.6
Hotel	0.2	0.4	0.6
Park – Developed	0.2	0.0	0.2
Recreational Facility	0.2	0.0	0.2

Public Safety. All land uses are considered to receive the maximum available benefit from the public safety element of District improvements. Public safety is essential to all land uses, and even to lands, such as designated Open Space, held in stewardship with only incidental human use.

Aesthetics. The degree of benefit received from the aesthetic qualities of open spaces and landscaped roadway medians and rights-of-way maintained or provided by the District varies among land use categories. Generally, by nature of their use, residential lands receive the greatest benefit from the reduced traffic congestion, reduced noise levels, greater separation from traffic and generally more tranquil environment provided by open spaces and landscaped roadway medians and rights-of-way. Commercial and institutional uses, on the other hand, often thrive on higher densities, greater traffic access, and a higher level of activity in the vicinity of their enterprises. These uses, accordingly, receive a lesser degree of benefit from the general insulation and separation provided by the aesthetic elements of District improvements.

Lands in the Park and Recreational Facility categories are considered to receive no significant benefit from the aesthetic elements of District improvements, as enhanced aesthetic quality of other lands in their vicinity does not affect their function, use, or value.

Equivalent Benefit Units (EBUs)

As described above, the number of Equivalent Benefit Units (EBUs) assigned to each parcel in the District has been calculated, based on the preceding factors, as follows:

$\text{EBUs} = (\text{Acres or Units}) \times \text{Land Use Factor} \times \text{Benefit Factor}$
--

Based on the above formula, the EBUs calculated for each property, can be found in the Assessment Roll (Exhibit C).

Summary Results

The District Boundary is presented in Exhibit A.

An estimate of the costs of the improvements provided by the District is included as Exhibit B to this report.

The assessment methodology utilized is as described in the text of this report. Based on this methodology, the EBUs and Fiscal Year 2009 District assessment for each parcel were calculated and are shown in the Assessment Roll (Exhibit C).

Each lot or parcel of land within the District has been identified by unique County Assessor's Parcel Number on the Assessment Roll and the Boundary Map and Assessment Diagram referenced herein. The net assessment for each parcel for Fiscal Year 2009 can be found on the Assessment Roll.

This report has been prepared and respectfully submitted by:

BOYLE ENGINEERING CORPORATION

Eugene F. Shank, PE

C 52792

Carolyn R. Crull

I, _____, as CITY CLERK of the CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, CALIFORNIA, do hereby certify that the Assessment as shown on the Assessment Roll, together with the Assessment Diagram, both of which are incorporated into this report, were filed in my office on the ____ day of _____, 2008.

Elizabeth Maland, CITY CLERK
CITY OF SAN DIEGO
STATE OF CALIFORNIA

I, _____, as CITY CLERK of the CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, CALIFORNIA, do hereby certify that the foregoing Assessment, together with the Assessment Diagram incorporated into this report, was approved and confirmed by the CITY COUNCIL of said City on the ____ day of _____, 2008.

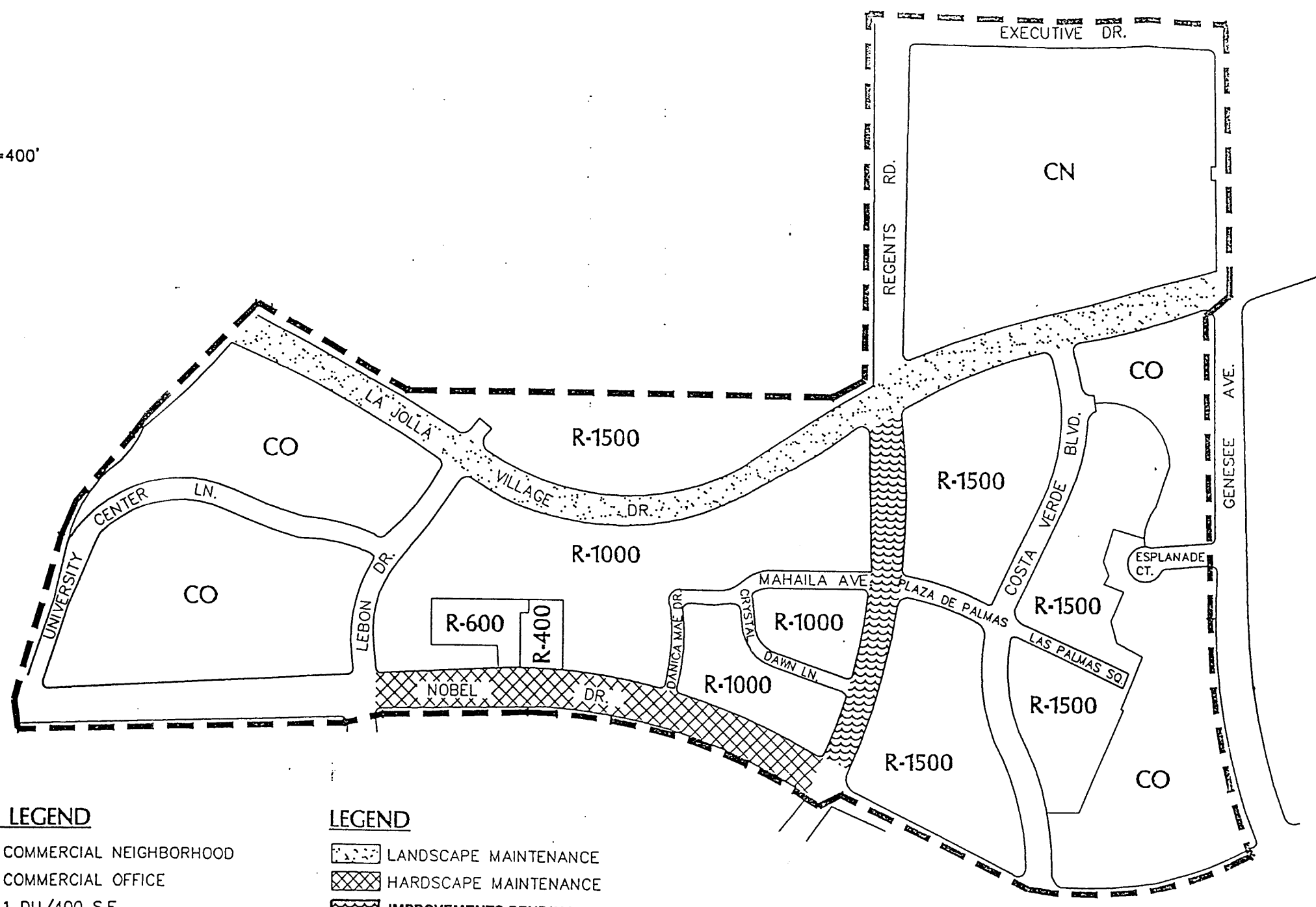
Elizabeth Maland, CITY CLERK
CITY OF SAN DIEGO
STATE OF CALIFORNIA

I, _____, as CITY ENGINEER of the CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, CALIFORNIA, do hereby certify that the foregoing Assessment, together with the Assessment Diagram was recorded in my office on the ____ day of _____, 2008.

Afshin Oskoui, CITY ENGINEER
CITY OF SAN DIEGO
STATE OF CALIFORNIA

EXHIBIT A

SCALE: 1"=400'



ZONING LEGEND

CN	COMMERCIAL NEIGHBORHOOD
CO	COMMERCIAL OFFICE
R-400	1 DU/400 S.F.
R-600	1 DU/600 S.F.
R-1000	1 DU/1000 S.F.
R-1500	1 DU/1500 S.F.

LEGEND

	LANDSCAPE MAINTENANCE
	HARDSCAPE MAINTENANCE
	IMPROVEMENTS PENDING CITY ACCEPTANCE

LA JOLLA VILLAGE DRIVE
LANDSCAPE MAINTENANCE DISTRICT
EXHIBIT A

**LA JOLLA VILLAGE DRIVE
Maintenance Assessment District**

EXHIBIT B

EXHIBIT B - Estimated Annual Expenses, Revenues & Reserves

La Jolla Village Drive - Fund 70238

	FY 2007 BUDGET	FY 2008 BUDGET	FY 2009 BUDGET
BALANCE FROM PRIOR YEAR	\$ 69,605	\$ 62,388	\$ 53,879
REVENUE			
Assessments	\$ 31,556	\$ 32,441	\$ 33,199
Interest	\$ 800	\$ 500	\$ 500
Environmental Growth Fund	\$ -	\$ -	\$ -
Gas Tax Fund	\$ 12,636	\$ 13,866	\$ 13,916
General Fund	\$ -	\$ -	\$ -
Miscellaneous	\$ -	\$ -	\$ -
TOTAL REVENUE	\$ 44,992	\$ 46,807	\$ 47,615
TOTAL BALANCE AND REVENUE	\$ 114,597	\$ 109,195	\$ 101,494
EXPENSE			
OPERATING EXPENSE			
Personnel	\$ 13,052	\$ 16,419	\$ 16,830
Contractual	\$ 65,478	\$ 62,081	\$ 33,300
Incidental	\$ 7,919	\$ 7,359	\$ 7,625
Utilities	\$ 2,587	\$ 2,308	\$ 2,396
TOTAL OPERATING EXPENSE	\$ 89,036	\$ 88,167	\$ 60,151
RESERVE			
Contingency Reserve	\$ 25,188	\$ 21,027	\$ 41,343
TOTAL RESERVE	\$ 25,188	\$ 21,027	\$ 41,343
BALANCE	\$ 373	\$ 1	\$ 0
TOTAL EXPENSE, RESERVE AND BALANCE	\$ 114,597	\$ 109,194	\$ 101,494

EXHIBIT C

Due to the size of the Assessment Roll (Exhibit C), only limited copies are available. Please contact the City of San Diego, Park & Recreation Department, Open Space Division, Maintenance Assessment Districts Program at (619) 685-1350 to review the Assessment Roll.